

MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – FEBRUARY 6, 2008 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER (#27 E. Frontage Road)
(Please Silence All Electronic Devices)

1. CALL TO ORDER.

Mayor Calkins called the Meeting to order at 6:30 P.M. All Councilors were present.

Also present were Mr. Marcus Rael, Town Attorney, Mr. Jeff Condrey, Administrator Clerk-Treasurer, Ms. Karen Mahalick, Community Planning & Development Manager and Ms. Estefanie Muller, Deputy Clerk.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF THE AGENDA.

MOTION: Councilor Felton made a motion to approve the Agenda as presented.
Councilor Simmons seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

4. PUBLIC COMMENTS. (Limit to 2 minutes per person).

Note: If you plan to testify later under Public Hearings, please do not sign-up for the same topic. Public comments are for items not on this Agenda.

Mr. Don Holle, President of the Vista Cerritos Neighborhood Association stated they have two concerns, if the Town purchases lot D-5 and bulldoze a road to provide access for Section 32 for a planned recreation lot southwest of the Town, D-5 is a residential lot covered by covenants and restrictions that apply to all the lots in Los Cerritos. There is no provision on the current plat for a road easement. The Town's plan violates these covenants and restrictions and if they opt to ignore these and build a road, there is 750 square foot piece of property from a reluctant property owner to be purchased and a 1000 square foot piece of property of another owner, before getting into Section 32 and the Association feels this is not a good idea and against the wishes of the property owners living there. The other concern is the questionable way the Town is going about pursuing this plan. Two years ago neighbors in this area were asked by the Town for permission for access into Section 32. They all replied definitely no. A resident, not a Town representative informed them of the plan to purchase the 750 sq. ft. needed with no notice to the affected residents or any public meeting on the subject. He asked Council to consider there are other options for access and to consider this carefully.

Mr. Roger Alink stated he has been here for 40 years and Section 32 is a jewel and should be worked on together as a community to preserve it. He said there are developers pushing to also get this land. He encouraged coming to the meetings and finding out what goes on.

Ms. Lindsey Steffek stated her parents are the owners of D-4. She stated the road has to be a minimum of 50 feet wide and there is only 17 ½ feet of access. The Town contacted her parents on purchasing a section of their property to complete the road. This is a health concern for her mother who is concerned with the vehicle emissions. It is unclear who will purchase the land, the Town or a developer. They also understand the State Land Office may sell Section 32 to a home developer to increase revenues as opposed to the Town building a park. Both proposed uses of D-5 will create increased vehicle emissions and the fate of her parents rests on who obtains the land and how it is utilized. She stated the reality is not in selling a section of their land but having to sell their entire property in order to relocate to a safer home.

Mr. Paul McClure stated his is a neighbor and lives in lot D-5 and this discussion is new to him as he had no knowledge of the Town's intent to purchase, he received a copy of the letter from the State, on a possible developer and if access is denied the State will develop this land one way or another. By forcing this issue on the neighbors, no one will get anywhere either. He encouraged the Town and the residents to meet and work on a decision together. He stated by attending the Parks and Recreation Meetings and involvement, they would know what is going on.

Mr. Mike Rariden stated he lives in Los Cerritos and has worked closely with the wood cutting project. His concern on the issue and received the same letter from the State on a developer and the primary access is through their neighborhood which is a private road. This news is disturbing, and what will happen with crime and more traffic. He asks the Town consider this issue carefully.

Ms. Sue West stated the 4th Thursday of the month the Parks and Recreation Advisory Committee meets and by attending they are aware of the projects going on. She also discussed the upcoming C.O.W. Awards on February 22nd and invited everyone to attend with Steve Stucker as Master of Ceremonies. Thirty six applications were received for nominations.

Ms. Carol Ring also discussed the C.O.W. Awards and thanked Ms. Myra Oden and the Chamber of Commerce as well as Mr. Roger Holden, Parks and Recreation Advisory Committee Manager for their work and support. Ms. Ring also encouraged attending the meetings and follow up on any rumors by contacting the Town.

5. APPROVAL OF PREVIOUS MINUTES.

- A. Special Council Meeting Minutes of January 14, 2008.
- B. Regular Council Meeting Minutes of January 23, 2008.
- C. Special Council Meeting Minutes of January 28, 2008.

MOTION: Councilor Simmons made a motion to approve the Minutes as presented. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

6. CONSENT AGENDA.

Initials

- D. Planning & Zoning Commission Meeting Minutes of January 28, 2008.
E. Parks & Recreation Advisory Committee Meeting Minutes of December 20, 2007.

MOTION: Councilor Ring made a motion to approve the Consent Agenda as presented. Councilor Felton seconded the motion.

The Council discussed wind turbines with Ms. Mahalick. Councilor Felton asked for clarification on the Parks and Recreation Advisory Committee Meeting Minutes on COLTPAC and the Town's contribution.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

7. PUBLIC HEARINGS.

Legislative Procedure: Certification that Public Notice of this Meeting has been posted as required:

Noted: Ms. Mahalick confirmed notice requirements were posted.

F. Town of Edgewood Comprehensive Land Use Plan. (Note: This item is a continuation from the Council Meeting of January 23, 2008).

Councilor Ring requested public comments be continued.

Mr. Ray Seagers reviewed the Chamber of Commerce comments as submitted.

MOTION: Councilor Felton made a motion to adopt the Comprehensive Land Use Plan. Councilor Hill seconded the motion.

The Council reviewed the recommended changes by the Chamber as well as comments from Councilor Simmons on her point of the view corridor and once the plan is adopted it ceases to become a guideline.

MOTION: Councilor Felton withdrew his motion. Councilor Hill seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Hill made a motion to delete the word "essential" from pages 60 and 78. Councilor Felton seconded the motion

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted nay. The motion carried.

Resolution No. 2008-06

MOTION: Councilor Ring made a motion to approve Resolution No. 2008-06. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted nay. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

G. Request to Amend the Town Zone Map.
Resolution No. 2008-07

MOTION: Councilor Ring made a motion to approve Resolution No. 2008-07.
Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

8. **MATTERS FROM THE MUNICIPAL JUDGE.**

H. Judge White will present his report for the month of January, 2008.
Judge White was not present.

MOTION: Councilor Ring made a motion to table this item. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

9. **MATTERS FROM THE MAYOR.**

I. Confirmation of Raymond Dennis as Public Works Director.

Mr. Condrey stated the Public Works Committee met, interviews were held and has recommended Mr. Dennis to begin work February 11, 2008 at a pay rate of Grade 51, Step 9 \$31.41 per hour, \$65,332.08 per year. Drug testing and background check with fringe benefits as standard except annual leave accrues 160 hours per year. Also, an automobile allowance of \$750.00 per month.

MOTION: Councilor Simmons made a motion to confirm Raymond Dennis as Public Works Director. Councilor Ring seconded the motion.

Councilor Felton inquired on the process used for advertisement. Mr. Condrey stated 3 applications were received and the position was posted on the Town's web page, local newspapers, Municipal reporter as well as other publications. Mr. Felton stated with only three applications received, was thought to change the recruit plan considered, Mr. Condrey stated no due to Mr. Dennis' experience.

VOTE: Councilor Simmons voted aye. Councilor Felton voted nay. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

Mr. Dennis was introduced.

J. Appointment of Mr. Phil Todd as Planning Commissioner.

Mayor Calkins stated Mr. Rey Fulweiler served 3 ½ years on the Planning Commission and his term has expired. He is recommending appointment of Mr. Phil Todd as a Planning Commissioner.

MOTION: Councilor Simmons made a motion to confirm the appointment of Mr. Phil Todd as Planning Commissioner. Councilor Ring seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

Mr. Todd was introduced. The Council thanked Mr. Fulweiler.

10. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

K. Appointment of an “Observer” to be present at the polls for the Municipal Election, March 4, 2008.

Mr. Condrey stated Mr. Dick Pledger has agreed to the “Observer” for the Municipal Election.

He reviewed the State Statute with the Council on the appointment by a majority of the candidates for a “Watcher” and a “Challenger” who have appointed Ms. Janelle Turner as “Challenger” and Mr. Gary Hill as “Watcher”.

MOTION: Councilor Simmons made a motion to approve Mr. Pledger as “Observer” for the Municipal Election. Councilor Hill seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

11. MATTERS FROM THE ATTORNEY.

L. Review of the proposed revised “Ethics Ordinance”

Mr. Rael stated he has reviewed the draft and stated municipalities are exempt from the State Election Code. A Municipal Ordinance could be enacted to impose a reporting code. He will look into other Code of Ethics adoptions.

MOTION: Councilor Ring made a motion to table this item. Councilor Hill seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

12. CHAMBER OF COMMERCE.

M. Quarterly Report.

Mr. Bob Stoff, President of the Chamber reviewed goals for 2008 to increase membership, create services, generate revenue, and host fund-raisers. Ms. Myra Oden discussed the statistics from the report submitted and the Chamber committees with 126 members. The Chamber plans to become involved in projects with the Planning & Zoning Commission and the Council.

13. MATTERS FROM THE ADMINISTRATOR.

N. COMMUNITY PLANNING & DEVELOPMENT.

a. Planning & Zoning Commission recommendation for road maintenance on Salida de Sol. (Resolution No. 2008-09)

Ms. Mahalick stated this road is used by the bus company, the Town Road Supervisor

approves accepting it and the road condition is in good shape, no immediate improvements will be needed.

MOTION: Councilor Ring made a motion to approve Resolution No. 2008-09. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

b. Wastewater Treatment Plant Update.

Ms. Mahalick stated the wet test was done. The punch list was completed, keys received.

O. PUBLIC SAFETY.

Sgt. Chavez, State Police stated they have had DWI patrols going and business as usual.

Chief Welch stated advertisement for police officers is going on. Applications being received are from out of state. He would like to see more from Albuquerque Police Department and State Police. Infrastructure has started and he is working on his certification. Councilor Hill commended Chief Welch on his work so far.

P. FINANCE & ADMINISTRATION.

a. Mid-Year Budget Revision. (Hand-Out)

Mr. Condrey asked this item be tabled.

MOTION: Councilor Hill made a motion to table this item. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

14. RESOLUTIONS.

Q. Resolution No. 2008-08 – Restricting the Exercise of Eminent Domain

15. ANNOUNCEMENTS, CALENDAR REVIEW & FUTURE AGENDA ITEMS.

R. Regular Council Meeting – February 20, 2008.

Councilor Ring requested a report on the on the status of the Joint Powers Agreement with the Regional Animal Shelter.

Councilor Felton asked on the status of the Impact Fee that was tabled, Ms. Mahalick stated a Work Session was requested but has not been scheduled.

16. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1-(H)(8), the following matter will be discussed in Closed Session.

1. Property Acquisition.

MOTION: Councilor Hill made a motion to go into Closed Session pursuant to

NMSA 1978, to discuss property acquisition. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

MOTION: Councilor Hill made a motion to reconvene the Meeting. Councilor Felton seconded the motion.

VOTE: Councilor Ring voted aye. Councilor Hill voted aye. Councilor Felton voted aye. Councilor Simmons voted aye. The motion carried.

Councilor Hill stated for the record only the item listed was discussed and no action was taken.

Councilor Ring confirmed the statement by Councilor Hill. Councilor Felton confirmed the statement by Councilor Hill. Councilor Simmons confirmed the statement by Councilor Hill.

MOTION: Councilor Hill made a motion to authorize Staff to move forward as discussed. Councilor Simmons seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted nay. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

17. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the Meeting. Councilor Felton seconded the motion.

VOTE: Councilor Simmons voted aye. Councilor Felton voted aye. Councilor Hill voted aye. Councilor Ring voted aye. The motion carried.

Mayor Calkins adjourned the Meeting at 8:50 P.M.

Mayor's Quote for this Meeting:

I've always tried to go a step past wherever people expected me to end up.

Beverly Sills – Opera Singer

APPROVED and ADOPTED this 20th day of FEBRUARY, 2008.